

FILED '07 FEB 14 15:03 USDC-ORE

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

KEVIN L. NESBIT,

Plaintiff,

v.

Civil No.: 06-1608-TC

SUE ELFVING, et al.

Defendants.

FINDINGS AND RECOMMENDATION

Plaintiff was ordered on January 4, 2007, to file an amended complaint within 30 days of this court's order dismissing plaintiff's initial complaint. To date an amended complaint has been filed.

This action should be dismissed for plaintiff's failure to prosecute and failure to comply with a court order.

Dated: February 14, 2007.



United States Magistrate Judge

FINDINGS AND RECOMMENDATION